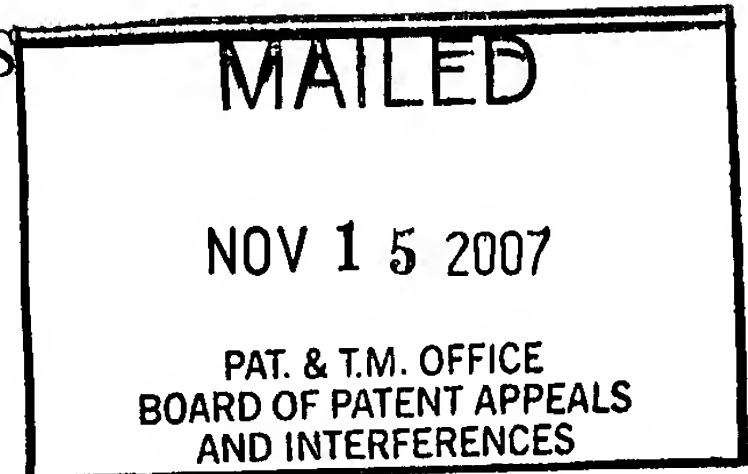


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte JEFFREY W. MOE, JOHN J. WUNSCH,
and MICHAEL S. SPERLING

Application 10/615,673

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on October 31, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matter requiring attention prior to docketing is identified below.

Application 10/615,673

On October 4, 2006, the Examiner mailed a communication acknowledging receipt of Appellants' Reply Brief filed on July 5, 2006. The response contains additional arguments which are improper. The comments made by the Examiner constitute a Supplemental Examiner's Answer. In accordance with MPEP § 1207.05, all Supplemental Examiner's Answers must be approved by a Technology Center (TC) Director or designee. The Communication mailed October 4, 2006, was not signed by the Technology Center Director or designee.

Accordingly, it is

ORDERED that this application be returned to the Examiner for: 1) proper response to the Reply Brief filed on July 5, 2006; and 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

Patrick J. Nolan

Deputy Chief Appeals Administrator
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PJN/lbg